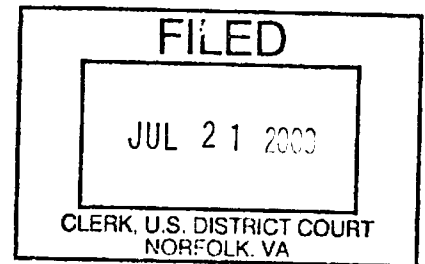


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



DEIDRA BROWN,

Plaintiff,

v.

ACTION NO. 2:08cv406

MICHAEL J. ASTRUE, COMMISSIONER
SOCIAL SECURITY ADMINISTRATION,

Defendant.

FINAL ORDER

Plaintiff brought this action under 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3) seeking judicial review of the decision of the Commissioner of Social Security denying plaintiff's claim for disability insurance benefits under Title II of the Social Security Act.


The matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure, as well as rule 72 of the rules of the United States District Court for the Eastern District of Virginia, for report and recommendation. Report of the magistrate judge was filed on July 2, 2009, recommending that plaintiff's motion for summary judgment be denied and defendant's motion for summary judgement be granted. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The

court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired.

The court does hereby adopt and approve the findings and recommendations set forth in the report of the United States Magistrate Judge filed July 2, 2009. Accordingly, plaintiff's motion for summary judgment is **DENIED**, and defendant's motion for summary judgment is **GRANTED**. The final decision of the Commissioner is **AFFIRMED**; and Judgment shall be entered in favor of the defendant.

The parties may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty (60) days from the date of entry of such judgment.

The Clerk shall forward a copy of this Final Order to counsel for plaintiff and defendant.

/s/
Rebecca Beach Smith
United States District Judge 

REBECCA BEACH SMITH
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

July 21, 2009